

Message Text

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ACTION STR-04

INFO OCT-01 EUR-12 IO-13 ISO-00 STRE-00 H-01 AGRE-00
CEA-01 CIAE-00 COME-00 DODE-00 EB-07 FRB-03
INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01
EPG-02 AID-05 SS-15 ITC-01 TRSE-00 USIA-06 PRS-01
SP-02 FEAЕ-00 OMB-01 /100 W
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FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 9188
INFO AMEMBASSY BRUSSELS
AMEMBASSY LONDON

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USMTN

ACTION STR

H PASS CODEL

BRUSSELS FOR USEC

E.O. 11652: N/A
TAGS: ETRD, MTN
SUBJECT: CONSULTATIONS WITH EC ON CUSTOMS VALUATION

1. SUMMARY; MTN DEL MET WITH EC TO DISCUSS EC WORK ON DRAFT CUSTOMS VALUATION PAPER. CHUMAS OUTLINED CURRENT THINKING ON TEXT WHICH EC HAS READY FOR DISTRIBUTION TO MEMBER STATES. IF MEMBER STATE AGREEMENT IS OBTAINED, PAPER WILL BE DISTRIBUTED TO MAJOR MTN DELS IN EARLY FALL. MEMBER STATES WILL MEET ON VALUATION ON JULY 14. END SUMMARY.

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2. EC (CHUMAS) REQUESTED MEETING WITH US MTN DEL TO DISCUSS NEXT STEPS IN EC ENDEAVOR TO DRAFT CUSTOMS VALUATION PAPER. CHUMAS BEGAN BY OUTLINING EC THINKING FOR ITS NEWEST DRAFT. HE INDICATED THAT DUE TO INTERNAL POLITICAL REASONS, AT THIS TIME THE COMMISSION COULD NOT ABANDON THE NOTIONAL CONCEPT AS THE PRIMARY VALUATION PRINCIPLE IN AN INTERNATIONAL CONVENTION.

HOWEVER, CHUMAS INDICATED THAT THEIR INTENTION WAS TO INCLUDE THE "NOTIONAL VALUE" AS THE FIRST TEST FOR VALUATION IN A HIERARCHICAL SYSTEM WITH SUBSEQUENT DISTINCT TESTS. FURTHER, THE CRITERIA FOR "NOTIONAL VALUE" WOULD BE SO DEFINED AS TO MEAN ONLY TRANSACTION VALUE. HE HAS ELIMINATED FROM HIS ORIGINAL DRAFT THE CONCEPT OF ADJUSTING PRICES TO OBTAIN A CUSTOMS VALUE. ON THE OTHER HAND, CONSTRUCTED VALUE WILL NOT BE INCLUDED IN DRAFT AT THE MOMENT. HE FURTHER INDICATED THAT IF PESSED BY OTHERS, CONSTRUCTED VALUE MIGHT BE INCLUDED AS A VALUATION TEST, BUT IT WOULD HAVE TO BE QUALIFIED TO ENSURE FIRMS WOULD NOT HAVE TO "OPEN THEIR BOOKS" FOR THE SOLE PURPOSE OF PROVING CUSTOMS VALUE. WITH REGARD TO THE RIGHTS OF APPEAL SECTIONS, HE INDICATED THAT THIS PORTION OF THE ORIGINAL DRAFT WOULD NOT BE CHANGED AT THIS POINT, BUT ENVISAGES UTILIZING IN THE VALUATION CODE THE RESULTS OF THE WORK NOW BEING CONDUCTED TO AMEND DRAFT ANNEX H(1) OF THE KYOTO CONVENTION.

3. MTN DEL (NEWKIRK) INDICATED THAT WE ARE STILL WAITING FOR A DRAFT FROM THE EC BEFORE WE MAKE ANY FURTHER COMMENTS ON THE SUBJECT. HE FURTHER STATED THAT AT THIS POINT WE STILL LEANED TOWARDS A POSITIVE SYSTEM OF VALUATION USING TRANSACTION VALUE AS ITS BASIS. HE ALSO INDICATED THAT WE HAVE NO DEFINITE POSITION ON CONSTRUCTED VALUE AND WILL KEEP OUR OPTIONS OPEN.
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4. CHUMAS STATED THAT IN AN APRIL MEETING THE MEMBER STATES HAD AN OPPORTUNITY TO CRITICIZE HIS INITIAL DRAFT. A NEW DRAFT HAS NOW BEEN COMPLETED AND THERE WILL BE A MEMBER STATE MEETING ON JULY 14 TO CONSIDER IT. HE HOPES TO FINALIZE THE DRAFT BY MID-SEPTEMBER, AT WHICH TIME IT WILL BE DISTRIBUTED TO MAJOR MTN DELEGATIONS. HIS SCENARIO AT THIS TIME IS TO ORALLY PRESENT THEIR APPROVED DOCUMENT AT THE NEXT VALUATION MEETING OF THE CUS-TOMS MATTERS SUBGROUP. HE PREFERS TO PRESENT THE PAPER ORALLY TO EXPLAIN CONCEPTS PRIOR TO DISTRIBUTING THE PAPER TO ALL DELEGATIONS.

5. CHUMAS INDICATED THAT MAJOR INTERNAL PROBLEMS AT PRESENT WERE WITH THE BRITISH, BUT THAT HE WAS CERTAIN HE COULD BRING ALL MEMBER STATES ALONG. MCNAMARA

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, POLICIES, MEETINGS, TARIFF AGREEMENTS
Control Number: n/a
Copy: SINGLE
Sent Date: 14-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977GENEVA05788
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Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770251-0007
Format: TEL
From: GENEVA USMTN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770759/aaaabykq.tel
Line Count: 110
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Litigation Codes:
Litigation History:
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Message ID: 6d27d76b-c288-dd11-92da-001cc4696bcc
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Original Previous Classification: n/a
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Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
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Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
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Subject: CONSULTATIONS WITH EC ON CUSTOMS VALUATION
TAGS: ETRD, MTN
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